

Mezzetti, Christopher R.

From: Mezzetti, Christopher R.
Sent: Tuesday, January 05, 2016 10:12 AM
To: 'Elliott H. Stone'; Jose-Manuel A. de Castro
Subject: RE: Truley v. Rechnitz

Elliott,

The defective notice has a clear effect on my clients as well, and could easily be addressed during the phone call. If you prefer to discuss at noon or 1:30, after your call with Mr. DeCastro, that works as well – but seems somewhat redundant to me. Especially considering the lack of any foreseeable harm that could result from my participation.

I would appreciate it if you could provide me with a FedEx tracking number, per your proof of service, for the deposition notice as we never received it. I would like to try and get to the bottom of the issue.

Thanks,

Chris

From: Elliott H. Stone [<mailto:ehstone@stonelawfirm.com>]
Sent: Tuesday, January 05, 2016 10:06 AM
To: Mezzetti, Christopher R.; Jose-Manuel A. de Castro
Subject: RE: Truley v. Rechnitz

Chris,

You are not invited to participate. We can schedule a meet and confer at another time.

-Elliott

From: Mezzetti, Christopher R. [<mailto:christopher.mezzetti@rmkb.com>]
Sent: Tuesday, January 05, 2016 10:04 AM
To: Jose-Manuel A. de Castro <jmdecastro@decastrolawgroup.com>; Elliott H. Stone <ehstone@stonelawfirm.com>
Subject: RE: Truley v. Rechnitz

I am also available at 11:30 and would like to participate in the call.

Chris

From: Jose-Manuel A. de Castro [<mailto:jmdecastro@decastrolawgroup.com>]
Sent: Tuesday, January 05, 2016 9:47 AM
To: 'Elliott H. Stone'
Cc: Mezzetti, Christopher R.
Subject: RE: Truley v. Rechnitz

I could talk today around 11:30 a.m. if that works for you.

JOSÉ-MANUEL A. DE CASTRO
310.270.9877 / jmdecastro@decastrolawgroup.com

From: Elliott H. Stone [<mailto:ehstone@stonelawfirm.com>]
Sent: Tuesday, January 05, 2016 7:06 AM
To: Jose-Manuel A. de Castro
Subject: Re: Truley v. Rechnitz

What time today can we confer?

Excuse my brevity and typos... sent from my iPhone

On Jan 5, 2016, at 6:44 AM, Jose-Manuel A. de Castro <jmdecastro@decastrolawgroup.com> wrote:

Elliott,

You can obviously do what you have to do, but there really is no need to waste money on a court reporter and a certificate of non-appearance. I have told you that no one will be appearing to testify tomorrow morning. I am happy to meet and confer with you regarding the identification of the witness(es) you would like to depose and one or more mutually agreeable dates for those depositions. During the same meeting, we can also discuss the supplemental initial disclosures that you still have not provided, despite committing in writing to do so almost three months ago, and the deficient interrogatory responses I addressed in my December 16 letter to you, to which I have not yet received any response.

Jose-Manuel

JOSÉ-MANUEL A. DE CASTRO
310.270.9877 / jmdecastro@decastrolawgroup.com

From: Elliott H. Stone [<mailto:ehstone@stonelawfirm.com>]
Sent: Monday, January 04, 2016 9:03 PM
To: Jose-Manuel A. de Castro
Cc: john.dooling@rmkb.com; christopher.mezzetti@rmkb.com; McElligott, Julie
Subject: Re: Truley v. Rechnitz

Jose the objections are baseless and do not permit non appearance. I will be at the deposition and will be starting as scheduled if you fail to appear with your client I will obtain a cert of non appearance.

Excuse my brevity and typos... sent from my iPhone

On Jan 4, 2016, at 7:05 PM, Jose-Manuel A. de Castro <jmdecastro@decastrolawgroup.com> wrote:

Please see attached Defendants' Objection to the Notice of Deposition of Rockport Healthcare Services.

JOSÉ-MANUEL A. DE CASTRO
310.270.9877 / jmdecastro@decastrolawgroup.com

<image001.png>
9000 W. Sunset Blvd., Suite 450, Los Angeles, CA 90069
Fax: 310.341.2330
decastrolawgroup.com

Mezzetti, Christopher R.

From: Mezzetti, Christopher R.
Sent: Tuesday, January 12, 2016 5:40 PM
To: 'Elliott H. Stone'
Cc: McElligott, Julie
Subject: Truley -- Status Call

Elliott,

Are you available at any time tomorrow to discuss the status of this case, including your proposed 90 trial continuance and discovery?

Thanks,

Christopher R Mezzetti
Ropers Majeski Kohn & Bentley PC
Associate
1001 Marshall Street, Suite 500 • Redwood City • CA • 94063-2052
☎ Office: (650) 364-8200 ☎ Direct: (650) 780-1677
☎ Fax: (650) 780-1701 ✉ Email: christopher.mezzetti@rmkb.com
Web Site: www.rmkb.com



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1 Elliott H. Stone, Esq. (SBN 264569)
ehstone@stonelawpc.com

2 **STONE LAW FIRM**
3 6601 Center Drive – Suite 500
4 Los Angeles California 90045
Telephone: (310) 348-7000
Facsimile: (844) 329-9100

5 Attorney for Plaintiff JAMES TRULEY

6
7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **CENTRAL DIVISION – LOS ANGELES**

11 JAMES TRULEY, an individual,
12 Plaintiff,

13 v.

14 SHLOMO RECHNITZ, individually
15 and dba ROCKPORT HEALTHCARE
16 SERVICES, and dba ALTA VISTA
17 HEALTHCARE & WELLNESS
18 CENTER; ROCKPORT
19 ADMINISTRATIVE SERVICES,
20 LLC, a California limited liability
21 company; DINCEL LAW GROUP, an
22 entity of unknown type; KIM O.
23 DINCEL, an individual; W. JOHN LO,
24 an individual; RIVERSIDE
HEALTHCARE &
WELLNESS CENTRE, LLC, a
California limited liability company;
Tim G. Doe, an individual, Cecilia M.
Doe, an individual, and DOES 1 to 50,
inclusive, an individual; and DOES to 1
to 50, inclusive,

Defendants.

Case No.: 5:15-cv-00715-SJO-SP

**PLAINTIFF JAMES TRULEY' S
NOTICE OF DEPOSITION OF
DEFENDANT ROCKPORT
HEALTHCARE SERVICES
PURSUANT TO F.R.C.P. § 30(b)(6)**

Date: January 6, 2015
Time: 9:00 a.m.
Location: Esquire Solutions
1990 S. Bundy Drive
Suite 540
Los Angeles CA 90025
Tel: 310-598-4200

25 **TO THE ABOVE NAMED DEFENDANT AND THEIR ATTORNEYS OF**
26 **RECORD:**
27
28

1 **NOTICE OF DEPOSITION**

2 **PLEASE TAKE NOTICE** that, pursuant to Rule 30(b)(6) of the Federal Rules
3 of Civil Procedure, Plaintiff by and through his counsel, will take the deposition of
4 Defendant **ROCKPORT HEALTHCARE SERVICES**, under oath, through its
5 officers, agents, employees or authorized persons most qualified to testify with respect
6 to the matters described below.

7 The deposition will be taken before an authorized court reporter or other person
8 duly authorized to administer oaths, **at 9:00 a.m., local time on Wednesday,**
9 **January 6, 2015**, at the following location (or such other locale as may be later
10 designated):

11 Esquire Solutions
12 1990 S. Bundy Drive
13 Suite 540
14 Los Angeles CA 90025
Tel: 310-598-4200

15 The deposition will continue from day to day until completed. The deposition
16 shall be recorded through stenographic and/or video means.

17 **PLEASE TAKE FURTHER NOTICE** that, the designated Fed.R.Civ.P.
18 30(b)(6) representative(s) of Defendant **ROCKPORT HEALTHCARE SERVICES**
19 must be prepared to testify regarding "matters known or reasonably available to"
20 Defendant **ROCKPORT HEALTHCARE SERVICES**, including but not limited to the
21 following topics, and subject to the definitions set forth below. Deponent shall
22 designate and produce at the deposition one or more persons to testify concerning the
23 below identified subjects, with said person(s) to possess the knowledge known or
24 reasonably available to the Deponent, as to the subject categories set forth herein. It is
25 further requested that Deponent provide prompt written notification to the undersigned
26 as to the name, address, telephone number, capacity and job title of each person so
27 designated to testify, as well as the subject matters on which this person will testify.

28 **NOTE:** If the deponent requires the service of an interpreter, you must advise

1 this office in writing no later than five days before the date set for the deposition of
 2 both the need for the interpreter and the language required. If you fail to do so and the
 3 deposition is then continued for lack of an interpreter, sanctions will be sought against
 4 both counsel and deponents.

5 DEPOSITION TOPICS

6 Said deponent is to be knowledgeable regarding the following matters:

- 7 1. Deponent and its employees' communications relating to Plaintiff;
- 8 2. The relationship between Deponent and Plaintiff;
- 9 3. The relationship between Deponent and original creditor of the debt
 10 which was the subject of the Deponent's collection efforts toward
 Plaintiff;
- 11 4. Determination and calculation of the amounts sought by Deponent from
 Plaintiff;
- 12 5. Authority for the amounts claimed by Deponent from Plaintiff;
- 13 6. All collection notes and/or collection logs relating to Plaintiff;
- 14 7. Documents sent to and/or received from Plaintiff or anyone else
 15 regarding Plaintiff;
- 16 8. Deponent's collection practices, procedures, methods, techniques and
 17 strategies used by Deponent in their efforts to collect consumer debts
 from any person;
- 18 9. Deponent's investigation into the claims made by Plaintiff in the
 Complaint filed herein;
- 19 10. The details and contents of all personnel files for the individuals that
 20 worked on Plaintiff's alleged collection account;
- 21 11. Any and all other information related to the factual basis for Deponent's
 Answer;
- 22 12. Any and all other information related to Deponent's defenses contained
 23 in its Answer;
- 24 13. Any bona fide error defense Deponent may have with regard to the
 25 allegations set forth in the Complaint;
- 26 14. The lack of intent by Deponent to violate the Fair Debt Collection
 Practices Act;
- 27 15. The phone systems of Deponent and monitoring and recording of
 28 telephone calls;

- 1 16. The telephone system(s), local and long distance services used by
- 2 Deponent and their employees in the course of their business or in the
- 3 course of collecting accounts;
- 4 17. The long distance telephone provider used by Deponent and its collection
- 5 employees to make calls relating to the herein account;
- 6 18. The management, supervision, and discipline of Deponent's collection
- 7 employees;
- 8 19. The use of alias names by any Defendant and or employee of Deponent
- 9 in the collection of accounts;
- 10 20. The maintenance of procedures by Deponent to avoid violations of the
- 11 Fair Debt Collection Practices Act;
- 12 21. The methods, practices, techniques, and strategies used by Deponent in
- 13 training their collection employees;
- 14 22. All correspondence to and from the original creditor of the debt which
- 15 was the subject of the Deponent's collection efforts toward Plaintiff
- 16 which relate to the Plaintiff's collection account;
- 17 23. All documentation methods, if any, whether computerized, manual, or
- 18 other, of all activities undertaken by Deponent or their employees related
- 19 to the collection of Plaintiff's account;
- 20 24. The history, specific details, and resolution of any formal and informal
- 21 complaints, Better Business Bureau Complaints, lawsuits, regulatory
- 22 actions, claims, litigations, mediations, arbitrations, or other actions, legal
- 23 or otherwise, connected to or arising out of Deponent's business, in the
- 24 period from three (3) years prior to the date of this notice to the present;
- 25 25. Deponent's business organization and governance, including but not
- 26 limited to its owners, shareholders, officers, directors, parent companies
- 27 and subsidiaries; and
- 28 26. Any and all other information related to Plaintiff's claims against
- Deponent.

Dated: December 11, 2015

STONE LAW FIRM

Bv: /s/ Elliott H. Stone
 Elliott H. Stone, Esq.
 Attorney for Plaintiff

1 **PROOF OF SERVICE**

2 I am and was at all times herein mentioned over the age of 18 years and not a party to the
3 action in which this service is made. At all times herein mentioned I have been employed in
4 the Los Angeles County in the office of a member of the bar of this court at whose direction
the service was made. My business address is 6601 Center Drive, Suite 500, Los Angeles,
CA 90045.

5 On December 11, 2015, I served the following document(s):

6 **PLAINTIFF'S RESPONSES TO RIVERSIDE HEALTHCARE & WELLNESS CENTRE,**
7 **LLC'S INTERROGATORIES TO PLAINTIFF, SET 1.**

8 José-Manuel A. de Castro, Esq.
9 DE CASTRO LAW GROUP, P.C.
9000 W. Sunset Boulevard, Suite 450
Los Angeles, California 90069

10 Attorneys for Defendants Shlomo
11 Rechnitz, Rockport Administrative Services, LLC, Riverside Healthcare & Wellness
Centre, LLC, Tim Garcia and Cecilia Machado

12 John G. Dooling, Esq.
13 1001 Marshall Street, Suite 500
Redwood City CA 94063-2052

14 Attorneys for defendants Dincel Law Group, Kim I. Dincel, and W. John Lo.

15 ☒ **BY FEDEX.**

16
17 I declare under penalty of perjury under the laws of the State of California that the
18 above is true and correct.

19 Executed on December 11, 2015, at Los Angeles, California.

20 /s/ Elliott H. Stone
21 Elliott H. Stone
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